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already been done, especially in the last half of the nineteenth century.''

GUSTAVUS A. WEBER.

Washington, D. C.

Township and Borough. Being the Ford Lectures, delivered in the University of Oxford in the October Term of 1897. Together with an Appendix of Notes relating to the History of the Town of Cambridge. By F. W. MAITLAND. Pp. 220. Price, 10s. Cambridge: University Press, 1898.

The second series of the Ford lectures was given at Oxford last winter. By a pleasant act of inter-university courtesy Professor Maitland of Cambridge was the lecturer and a group of questions suggested by the early history of the town of Cambridge was the subject. Moreover a running fire of half-sarcastic banter of the institution in which he was speaking must have added considerably to the interest of the lecturer to his academic hearers. He apologizes for talking of the open fields of Cambridge by asking what else the Oxford men have left him to talk about—"What other fields has Oxford left unworked?" and remarks that "the oldest of all inter-university sports was a lying match."

And to tell the truth, his text needed all of Professor Maitland's usual humor to lighten it up as a subject for semi-public lectures. Interesting as the general subject of economico-legal history is, and important as the points at issue seem to those of us who are already interested in them, yet the particular stage which the investigation has now reached, largely negative and entirely critical, is not such as to make it very well suited for even an academic audience. The broad generalizations and suggestive analogies which made the lectures of Sir Henry Maine so interesting and exhilarating to people previously uninterested belong now to a past age of study. They have been largely discredited, or have come to be recognized as merely interesting facts and superficial similarities among distantly related institutions. We have advanced to a part of the field which requires more detailed study and a more critical method; and this kind of work is more fitted for print than for the spoken word. Professor Maitland's subject is the distinction, in their origin and in their history, between the merely rural manor and the organized town community. His study of this problem is based principally upon a number of previously unpublished and almost unused documents from among the records of the borough of Cambridge. His

transcription of these with accompanying comments makes up about half of the volume, filling up, that is, somewhat more space than does the text of the lectures.

His three fundamental propositions are negative in their nature. The town did not differ from the country, the urban from the rural community, by the absence in the former of arable and pasture lands. On the contrary the town, borough, city, had its open fields, in fact, *was* largely a group of open fields only with part of its surface covered more or less thickly with houses. Secondly, the difference did not lie in the original possession by the borough of a clearly recognized legal unity. The discrete interests of the burghers are abundantly evident. And, thirdly, there was probably no clearer ideal of actual ownership of land in the case of the town than of the country community. Much of the lecturer's time is devoted to demonstrating the existence and extent of the agricultural side of the mediæval borough. Even after its arable lands had been utilized for other purposes, or enclosed, or absorbed as the separate possessions of individual owners or of corporations, its pasture lands remained open, and even subject to common ownership and usage. As late as 1803 it was necessary to settle by lawsuit the ownership of the residuum of the open fields, after allotments were made to private owners of all distinct pieces. The court decided in favor of the municipal corporation. This case gives Professor Maitland his principal texts, the slow growth of the idea of corporateness, and the equal vagueness of the mediæval conception of the ownership of land. But the conception of corporateness grew in the borough, in the rural community it did not. Its growth was a result of economic and moral life, of the life of trade and industry, of the requirements of the more active, varied and interdependent urban existence. So by the fifteenth century, by the time when royal grants of incorporation began to be issued, the feeling of collective unity had obtained a reality that made the grant of incorporation only the registry of a growth and possession already attained. Similarly with the conception of the ownership of the land, when King John granted to the burgesses of Cambridge the town with all its lands and other appurtenances, it is probable that neither the king and his officials, nor the burgesses themselves had any clear idea in whom the title to the land inhered, or of there being any such question involved. The *dominium* included the germs of land ownership as it did of political rule. It was in the exigencies of later town history that the idea of corporate ownership as of corporate existence generally gradually took shape. Or, as Mr. Maitland expresses it, the

struggle of ownership and rulership to free themselves from each other was finally successful.

The other main question dealt with is the actual origin of the towns, or rather of certain "old county towns," as Professor Maitland restrictively describes them. He reverts to his theory propounded in "Domesday Book and Beyond," and elsewhere, that these towns were deliberately founded, built, and supported for purposes of national defence. "The shire maintains the burh; the burh defends the shire." He acknowledges the weight of the criticism of this view, and himself modifies its applicability, but on the whole does not seriously change it. He brings into greater prominence, however, the concomitant characteristics of the borough as the principal market of the shire and the meeting place of its moots, as well as its stronghold. He points out that although such towns were originally deliberately organized for tribal or national purposes and policy, mainly military, and on this account had a special peace and protection, yet all their subsequent history was modified by the growth of trade. Then the town got a charter and gradually became indistinguishable in all its salient characteristics from other towns which had no such military origin. So Professor Maitland's theory applies to fewer towns than he seemed before to claim, and it controlled less exclusively the destinies of those to which it did apply.

That the book is a valuable contribution to the subject goes almost without saying. But with all our admiration of Professor Maitland's work, we are impressed with the feeling that this book is less fully thought out, less carefully constructed, and less condensed in matter and value than most of his work which has preceded it.

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Pure Economics. By Professor MAFFEO PANTALEONI. Translated from the Italian by T. Boston Bruce. Pp. xiv, 315. Price, \$3.50. London and New York: The Macmillan Company, 1898.

This translation of the "*Principii di Economia Pura*" ought to receive a hearty welcome in England and America. Professor Pantaleoni is widely known in and outside of Italy as a well-equipped and efficient teacher, writer, editor and reformer. The book before us is written in the author's usual clear and forceful style, with a wealth of diction well preserved in the translation. We do not know where else in English can be found so compact and excellent an epitome of modern economic theory. A few parts, indeed, are out of keeping